



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,232	12/14/2000	Scott A. Sirrine	65856-0025	9140

10291 7590 05/16/2005

RADER, FISHMAN & GRAUER PLLC
39533 WOODWARD AVENUE
SUITE 140
BLOOMFIELD HILLS, MI 48304-0610

EXAMINER

DAY, HERNG DER

ART UNIT PAPER NUMBER

2128

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. Claims 1-16 are presented for examination. In the Amendment faxed January 3, 2005, Applicant argued, "Eaton does not provide any motivation for using a GUI" at page 11 and "Eaton does not teach displaying the torsional acceleration or the driveline inertia" at page 12. In the Cited Reference U (dated October 1, 2004), the Assignee's "Eaton Truck Components Bulletin, TRIB-9701" has mentioned the "Eaton Driveline Angle Analyzer (DAA) program" and the associated "worksheets and software". However, detailed information regarding the DAA program, for example, where (on screen?) and how (from the pull down menu?) to enter the data, cannot be found. Therefore, please note the following Requirement for Information under 37 C.F.R. 1.105.

Requirement for Information - 37 C.F.R. § 1.105

2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application. The Examiner requires user's manuals and the free copy of Eaton's DAA software program having a publication date of December 2000 or earlier for the Assignee's "**Eaton Driveline Angle Analyzer (DAA) program**" which has been mentioned in the Cited Reference U (dated October 1, 2004).
3. The information is required to identify products and services embodying the disclosed subject matter of "vehicle driveline configuration" and identify the properties of similar products and services found in the prior art because Applicant argues the prior art does not disclose or

Art Unit: 2128

suggest anything related to the claimed method of using a GUI or displaying determined data (pages 11-12, Amendment faxed January 3, 2005). The Assignee's "Eaton Truck Components Bulletin, TRIB-9701" does not disclose the argued feature in sufficient detail so that the Examiner can adequately respond. The Examiner, therefore, respectfully needs to review the detailed information for the "Eaton Driveline Angle Analyzer (DAA) program" and the associated "worksheets and software" in order to conduct a proper examination of the application.

4. For the reason provided, the above-identified program and associated worksheets and software are considered especially relevant to the instant application and appear to be essential to the instant invention and claims, and therefore, the Applicant is required to provide the Office with copies of the technical manuals and software program for consideration. The Examiner needs to consider them in so far as they appear to be material to the patentability of the application as per 37 C FR. 1.56.

5. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the Applicant's first complete communication responding to this requirement.

6. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Herng-der Day whose telephone number is (571) 272-3777. The

Art Unit: 2128

Examiner can normally be reached on 9:00 - 17:30. Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jean R. Homere can be reached on (571) 272-3780. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Herng-der Day H.D.
April 26, 2005


JEAN HOMERE
SUPERVISORY PATENT EXAMINER